

OCT 21 2014

JAMES N. HATTEN, Clerk
By:  Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

LIZBETH DIAZ,

Plaintiff,

v.

DAVID ANTHONY, AND
FAMILY INTERVENTION
SPECIALISTS, INC.

Defendants.

CIVIL ACTION FILE NO.:

1:14-CV-03086-SCJ-LTW

ANSWER OF DEFENDANTS

COME NOW David Anthony, and Family Intervention Specialists, Inc.,
named as Defendants in the above-styled civil proceeding, and file this Answer
to Plaintiff's Complaint, and show the Court:

FIRST DEFENSE

Plaintiff's Complaint fails to state a claim against Defendants upon which
relief can be granted.

SECOND DEFENSE

Defendants do not owe any duty to Plaintiff which has been breached.

THIRD DEFENSE

Defendants incorporate herein by reference all affirmative defenses set
forth in Federal Rule of Civil Procedure 8(c) not set forth herein to the full

extent applicable and assert on the grounds of said affirmative defenses that Plaintiff's Complaint should be dismissed.

FOURTH DEFENSE

Process and service of process are insufficient as to Defendants.

FIFTH DEFENSE

Defendants respond to the individually numbered paragraphs of Plaintiff's Complaint as follows:

PARTIES, JURISDICTION, AND VENUE

1.

Defendants admit subject matter jurisdiction in general as pled in paragraph 1 of Plaintiff's Complaint, subject to the prerequisites and limitations which may exist in law.

2.

Defendants admit the allegations of jurisdiction and venue in paragraph 2 of Plaintiff's Complaint.

3.

Defendants admit the allegations of jurisdiction and venue in paragraph 2 of Plaintiff's Complaint..

4.

Defendants deny the allegations in paragraph 4 of Plaintiff's Complaint in

that Plaintiffs repetitively aver tortuous acts.

5.

Defendants admit the allegations of venue in paragraph 5 of Plaintiff's Complaint.

6.

Defendants deny the allegations in paragraph 6 of Plaintiff's Complaint.

7.

Defendants deny the allegations in paragraph 7 of Plaintiff's Complaint.

8.

Defendants are without knowledge or information sufficient to form a belief as to the truth of the ambiguous allegations in paragraph 8 of Plaintiff's Complaint.

9.

Defendants deny the allegations in paragraph 9 of Plaintiff's Complaint.

10.

Defendants deny the allegations in paragraph 10 of Plaintiff's Complaint.

11.

Defendants deny the allegations in paragraph 11 of Plaintiff's Complaint.

12.

Defendants deny the allegations in paragraph 12 of Plaintiff's Complaint.

13.

Defendants deny the allegations in paragraph 13 of Plaintiff's Complaint.

14.

Defendants deny the allegations in paragraph 14 of Plaintiff's Complaint.

15.

Defendants deny the allegations in paragraph 15 of Plaintiff's Complaint.

16.

Defendants deny the allegations in paragraph 16 of Plaintiff's Complaint.

17.

Defendants deny the allegations in paragraph 17 of Plaintiff's Complaint.

18.

Defendants deny the allegations in paragraph 18 of Plaintiff's Complaint.

19.

Defendants deny the allegations contained in paragraph 19 of Plaintiff's
Complaint.

20.

Defendants deny the allegations in paragraph 20 of Plaintiff's Complaint.

21.

Defendants deny the allegations in paragraph 21 of Plaintiff's Complaint.

22.

Defendants deny the allegations in paragraph 22 of Plaintiff's Complaint.

23.

Defendants deny the allegations in paragraph 23 of Plaintiff's Complaint.

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Defendants deny the allegations in paragraph 24 of Plaintiff's Complaint.

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Defendants deny the allegations in paragraph 25 of Plaintiff's Complaint.

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Defendants deny the allegations in paragraph 26 of Plaintiff's Complaint

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Defendants deny the allegations in paragraph 27 of Plaintiff's Complaint.

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Defendants deny the allegations in paragraph 28 of Plaintiff's Complaint.

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Defendants deny the allegations in paragraph 29 of Plaintiff's Complaint.

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Defendants deny the allegations in paragraph 30 of Plaintiff's Complaint.

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Defendants deny the allegations in paragraph 31 of Plaintiff's Complaint.

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Defendants deny the allegations in paragraph 32 of Plaintiff's Complaint.

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Defendants deny the allegations in paragraph 33 of Plaintiff's Complaint.

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Defendants deny the allegations in paragraph 34 of Plaintiff's Complaint.

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Defendants deny the allegations in paragraph 35 of Plaintiff's Complaint.

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Defendants deny the allegations in paragraph 36 of Plaintiff's Complaint.

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Defendants deny the allegations in paragraph 37 of Plaintiff's Complaint.

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Defendants deny the allegations in paragraph 38 of Plaintiff's Complaint.

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Defendants deny the allegations in paragraph 39 of Plaintiff's Complaint.

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Defendants deny the allegations in paragraph 40 of Plaintiff's Complaint.

41.

Defendants deny the allegations in paragraph 41 of Plaintiff's Complaint.

42.

Defendants deny the allegations in paragraph 42 of Plaintiff's Complaint.

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Defendants deny the allegations in paragraph 43 of Plaintiff's Complaint.

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Defendants deny the allegations in paragraph 44 of Plaintiff's Complaint.

45.

Defendants deny the allegations in paragraph 45 of Plaintiff's Complaint.

46.

Defendants deny the allegations in paragraph 46 of Plaintiff's Complaint.

47.

Defendants deny the allegations in paragraph 47 of Plaintiff's Complaint.

48.

Defendants deny the allegations in paragraph 48 of Plaintiff's Complaint.

SIXTH DEFENSE

Plaintiff's claims are barred as untimely under Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, and the Genetic Information Nondiscrimination Act among others.

WHEREFORE Defendants, having responded fully to Plaintiff's Complaint, pray that:

- (a) Defendants have a trial by jury;
- (b) Plaintiffs take nothing, and the Complaint be dismissed;
- (c) All costs be cast against plaintiffs; and
- (d) Defendants have such other relief as this Court deems just.

Respectfully submitted this 21st day of October, 2014.

s/ Jeffrey D. Bunch
JEFFREY D. BUNCH
Ga. Bar No. 094608
Attorney for Defendant

s/ Travis M. Cain
TRAVIS M. CAIN
Ga. Bar No. 940489
Attorney for Defendant

HARRIS & BUNCH, LLC
142 South Park Square
Marietta, Georgia 30060
Phone: 770-499-7989; Fax: 770-499-1365
jbunch@harrisandbunch.com; tcain@harrisandbunch.com